

FILED

UNITED STATES DISTRICT COURT

JAN - 8 2019

for the

Southern District of Texas

David J. Bradley, Clerk of Court

United States of America

v.

(1) Rogelio GARCIA-Zepeda
(2) Arturo GONZALEZ-Reyna

Defendant(s)

Case No. B-19-110-NIS

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 1/6/2019 in the county of Cameron in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 U.S.C. 841(a)(1) and
21 U.S.C. 846

Offense Description

Possession with Intent to Distribute
approximately 145.0 kgs of marijuana, a
schedule 1 controlled substance.

This criminal complaint is based on these facts:

See Attachments

☒ Continued on the attached sheet.

 TFO
Complainant's signature


Hector Lopez, DEA Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 1/8/2019

City and state: Brownsville, Texas


Judge's signature

Ronald G. Morgan, US Magistrate Judge

Printed name and title

Page 1 of 2

United States

V.

(1) Rogelio GARCIA-Zepeda

(2) Arturo GONZALEZ-Reyna

ATTACHMENT – A

(AFFIDAVIT)

On January 6, 2019, at approximately 7:24 p.m., Border Patrol's air asset unit (BOA) advised Harlingen Border Patrol agents via service radio communications, that there were actively monitoring five (5) subjects loading large bundles of what appeared to be illegal contraband into a vehicle by the IBWC levee on Rangerville Rd in Los Indios, TX

Ground units converged to the area and located a blue in color Kia minivan driving northbound away from the location. Agents observed the minivan swerved to the eastside of Rangerville Rd. in which both the driver and passenger exited the vehicle and absconded into the brush. Agents were able to apprehend both subjects with the assistance of air assets, which maintained visual on the subjects as they absconded. The driver, later identified as **Rogelio GARCIA-Zepeda** was apprehended within minutes approximately 50 yards east of the minivan. The passenger, later identified as **Arturo GONZALEZ-Reyna**, was also apprehended within minutes approximately 75 yards southeast of the Minivan. Agents secured the minivan where marijuana bundles were located inside. As Border Patrol Air assets continued to scan the area, they were able to locate four (4) subjects and several bundles of contraband cross the Rio Grande River southbound into Mexico.

Agents seized the bundles located in the minivan, counting six (6) in total. Agents later weighed the bundles totaling approximately 319.5 lbs. (145.00 kgs) and conducted a field test of the bundles resulting positive for characteristics for marijuana.

On January 7, 2019 DEA Task Force Officers arrived at the Harlingen Border Patrol Station to conduct interviews with GONZALEZ and GARCIA. GONZALEZ was advised of his Miranda rights and waived his right to legal counsel. GONZALEZ stated that he was not involved with the minivan and that he had illegal entered into the United States to seek work.

GARCIA was advised of his Miranda rights and waived his right to legal counsel. GARCIA stated that he was the driver of the minivan which was being loaded with multiple bundles of marijuana. GARCIA also stated a male subject who loaded a bundle of marijuana entered the minivan as he drove away. GARCIA implicated GONZALEZ as being the other person besides himself inside the minivan. GARCIA described GONZALEZ by physical stature and articles of clothing. GARCIA also stated that GONZALEZ was on the phone as they drove away talking and telling the person on the line that they were on the way. GARCIA stated he was hired to transport the bundles of marijuana for (\$800) eight hundred dollars.

TFO Hector Lopez provided AUSA Justin Dinsdale with the facts surround the case in which AUSA Dinsdale accepted the case for federal prosecution.


Complainant's Signature

Hector Lopez, DEA Task Force Officer
Printed Name and Title

Sworn to before me, and subscribed in my presence,

Date: January 8, 2019

City and State: Brownsville, Texas


Judge's Signature

Ronald G. Morgan, United States Magistrate Judge
Printed Name and Title